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10/563,325	07/06/2006	Makoto Sakata	0717-0547PUS1	6939
2292 7590 04/15/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER CHU, DAVID H				
ART UNIT 2628		PAPER NUMBER		
NOTIFICATION DATE 04/15/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

# Office Action Summary

**Application No.**

10/563,325

**Applicant(s)**

SAKUTA ET AL.

**Examiner**

DAVID H. CHU

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. **Claims 23-24 and 26-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

3. Note with respect to claims 23 and 26,

Claims 23 and 26 recite a computer program per se. Computer programs per se, not stored on a computer readable medium, are abstract ideas. Computer programs per se are not capable of performing any function (See MPEP 2106).

It is suggested that the preamble be amended to recite, "A computer readable media having stored thereon a computer program product that is executed by the computer for..."

4. Note with respect to claims 24 and 27,

Page 30, line 24 – page 31, line 13 in the specification states that the **recording medium** recited in the claim can also be in a communication medium form such as the Internet. Such medium fails to fall within a statutory category of invention. It is not a process occurring as a result of executing the program, a

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machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with program in a manner which enables the program to act as a computer component and realize functionality. It's also clearly not directed to a composition of matter. Therefore, it is non-statutory under 35 USC 101.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. Claims 1-7, 10-18, 21, 22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liao et al. (PGPUB Document No. US 2004/0075660) in view of Di Federico et al. (PGPUB Document No. US 2005/0226538).

8. Note with respect to claim 1,

Liao et al. teaches:

- A control section for setting a color element level for a pixel overlapping a basic portion of a line, based on both or either a distance between a center of the pixel and at least one dot contained in a stroke or a line width

[Liao et al. teaches an apparatus 3 that determines the color of each of the pixels according to the distance between a pixel and a line. Further, Liao et al. teaches that one of the parameters used for determining the color takes into account the line width. Clearly as shown in FIG. 1A, 1B, 2 of Liao et al., some pixels overlap with the line]  
[Liao, 0022, 0025-0026]

However, Liao et al. does not expressly teach:

- Applying the anti-aliasing teaching stated above to a character

Di Federico et al. teaches:

- Applying anti-aliasing to a text skeleton

[Di Federico, Riccardo, 0071]

Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the anti-aliasing teaching of Liao et al. to the text of Di Federico et al., because *it is well known in the art to apply anti-aliasing to a text as it helps reducing the jaggedness and geometrical distortions.*

[Di Federico, Riccardo, 0071]

The combined teachings of Liao et al. and Di Federico et al. do not expressly teach:

- Using subpixels for the anti-aliasing teaching

However, it is well known in the art utilize subpixels, because it provides greater detail as it increases the resolution, and enables anti-aliasing of text.

Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the combined anti-aliasing teaching of Liao et al. and Di Federico et al., because *this enables anti-aliasing of text with greater detail.*

9. Note with respect to claim 2,

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1,

- Wherein the at least one dot contained in the stroke has the same X-coordinate value as the center of the subpixel

[As seen in FIG. 1A, 1B, 2 of Liao et al., it is clear that at least one dot on the line share a common x coordinate to a pixel]

10. Note with respect to claim 3.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1,

- Wherein the control section sets a smaller color element level of the subpixel as the distance is increased

[According to the anti-aliasing (blending) teaching of Liao et al. pixels closer to the line the color is closer to the line, whereas pixels farther away are closer to the background color]

[Liao et al., 0006]

11. Note with respect to claim 4.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1,

- Wherein the control section sets the color element level of the subpixel based on a line width in at least one of an X direction and a Y direction set for the stroke

[Liao et al. 0025]

12. Note with respect to claim 5.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1,

- Wherein the control section sets the color element level of the subpixel to a predetermined value when the distance is within a predetermined range

[According to the calculations of Liao et al., the distance value that assigns a pixel to only the color of the background is the range. Such range is predetermined by the equations of Liao et al.]

13. Note with respect to claim 6.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1, comprising:

- A display section comprising a plurality of display pixels arranged in a matrix on the screen, each of the plurality of display pixels comprising a plurality of the subpixels arranged in a predetermined direction and associated with a plurality of respective color elements, wherein the control section controls display of the character on the screen by controlling levels of the plurality of color elements associated with the plurality of subpixels based on the stroke data separately

[As stated above it is well known in the art to apply the anti-aliasing teaching to pixels



to subpixels. Therefore, the pixels and corresponding subpixels in FIG. 1A, 1B, 2 are arranged in a matrix. Also, as stated above, the apparatus 3 of Liao et al teaches determining colors for each individual pixel]

14. Note with respect to claim 7.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1, comprising:

- A storage section storing a table associating at least one of the distance between the center of the subpixel and the at least one dot contained in the stroke and the line width set for the stroke with the color element level of the subpixel, wherein the control section sets the color element level of the subpixel based on information contained in the table

[Liao et al. teaches storing the parameters used for determining the color of pixels in a table 341]

[Liao et al. 0040]

15. Note with respect to claim 10.

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 1, wherein,

- The stroke data is skeleton data representing a skeletal shape of the character or character contour information representing a contour

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shape of the character

[As stated above, the combined teachings of Liao et al. and Di Federico et al. teach applying anti-aliasing to a text skeleton]

16. Note with respect to claim 12,

The combined teachings of Liao et al. and Di Federico et al. teach:

A character display apparatus according to claim 11, wherein,

- The control section sets the color element level of the subpixel within the predetermined range based on a predetermined table defining the color element level of the subpixel within the predetermined range and the distance

[Refer to rejections above with respect to claims 1, 5 and 7]

17. Note with respect to claims 11, 22 and 25, claims 11, 22 and 25 are similar in scope to the claim 1, thus the rejections to claim 1 hereinabove are also applicable to claims 11, 22 and 25.

Further with respect to claims 11 and 21, the predetermined range is the range stated in the rejection above with respect to claim 5.

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18. Note with respect to claims 13-18 and 21, claims 13-18 and 21 are similar in scope to the claims 2-7 and 10 respectively, thus the rejections to claims 2-7 and 10 respectively hereinabove are also applicable to claims 13-18 and 21.

19. Note with respect to claim 13, claim 13 is similar in scope to the claim 2, thus the rejections to claim 2 hereinabove are also applicable to claim 13.

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20. Claims 1, 11 8, 9, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drewry (U.S. Patent No. 5748178) in view of Di Federico et al.

21. Note with respect to claim 1,

Drewry et al. teaches:

- A control section for setting a color element level for a pixel overlapping a basic portion of a line, based on both or either a distance between a center of the pixel and at least one dot contained in a stroke or a line width

[Drewry teaches an anti-aliasing method that blends colors based on the distance of neighboring pixels. Further, Drewry teaches assigning smaller weightings to pixels that are farther away]

(col. 1, line 48 -- col. 2, line 8)

However, Drewry does not expressly teach:

- Applying the anti-aliasing teaching stated above to a character

Di Federico et al. teaches:

- Applying anti-aliasing to a text skeleton

[Di Federico, Riccardo, 0071]

Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the anti-aliasing teaching of Drewry to the

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text of Di Federico et al., because *it is well known in the art to apply anti-aliasing to a text as it helps reducing the jaggedness and geometrical distortions.*

[Di Federico, Riccardo, 0071]

Further, the combined teachings of Drewry and Di Federico et al. do not expressly teach:

- Using subpixels for the anti-aliasing teaching

However, it is well known in the art utilize subpixels, because it provides greater detail as it increases the resolution, and enables anti-aliasing of text.

Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the combined anti-aliasing teaching of Drewry et al. and Di Federico et al., because *this enables anti-aliasing of text with greater detail.*

22. Note with respect to claims 8 and 19,

Drewry teaches:

A character display apparatus according to claim 1, wherein,

- The control section sets a color element level for a subpixel near the subpixel having the set color element level based on a distance

between the subpixels and the set color element level

{col. 1, line 48 – col. 2, line 8}

23. Note with respect to claims 9 and 20,

The combined teachings of Drewry and Di Federico et al. teach:

A character display apparatus according to claim 8, comprising:

- A storage section storing a table associating the distance between the subpixel having the set color element level and the near subpixel and the set color element level with the color element level of the near subpixel, wherein the control section sets the color element level of the near subpixel based on information contained in the table

[it is inherent that the values/parameters (distance color, etc.) used in calculating the color of Drewry require storing them in any type of data-structure/memory. The data-structure/memory is the equivalent to a table]

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID H. CHU whose telephone number is (571)272-8079. The examiner can normally be reached on M-F 9:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHC

/Kee M Tung/  
Supervisory Patent Examiner, Art Unit 2628